

Town of Essex
Zoning Board of Appeals

29 West Avenue, Essex, CT 06426

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BY:.....

Variance Application

✓ #1032

Date received by office 4-21-23 Application fee - \$50 + State fee - \$60 = \$110 Pd.

Application # 23-5 Hearing Date _____

Premises: Street Address 8 Riverview St

Assessor's Map # 28 Lot # 041 Lot Area .26 ac

Zoning District VR Deed Reference: Book 328 Page 663

Owner of Property Nancy H Tela

Address 40 East 94th St #25C New York, NY 10128
Street Town State Zip

Telephone 917 653 0997 Email: nhtr22@gmail.com
home work

Applicant (if not owner) Peggy V. Sullivan AIA / Seabird Architects

Address 28 Main St Suite 5 Essex, CT 06426
Street Town State Zip

Telephone 203 506 8289 Email: peggy@seabirdarchitects.com
home work

Note:

- 1) TO BE ACCEPTED BY THE LAND USE OFFICE. THIS APPLICATION MUST BE COMPLETED, SIGNED, AND SUBMITTED WITH THE REQUIRED FEE(S) AND MAP(S) PREPARED IN ACCORDANCE WITH THE APPLICABLE REGULATIONS.
- 2) SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S PERMISSION FOR THE BOARD OR ITS STAFF TO ENTER THE PROPERTY FOR THE PURPOSE OF INSPECTION.
- 3) SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S AGREEMENT TO PAY ALL ADDITIONAL FEES AND/OR ADDRESS SUCH COSTS DEEMED NECESSARY BY THE LAND USE OFFICE AS DESCRIBED IN PART THREE OF THIS APPLICATION.

Signature (Authorized Agent) Peggy Sullivan Date 4/19/23

Current use of the property Residential Business Farm Other _____

Is any portion of property within 500' of another Town? Yes No

Is the property within the Gateway Conservation District? Yes No

If this application is for a variance(s) please complete the following sections:

1. Variance(s) requested of the Essex Zoning Regulations

Check those that apply and write in sections that variances are requested

Section No.	Allowed/Required per the regulations	Existing	Requested
XI 40C	No buildings within the setbacks	7.4' Side North, 20'-5" Setback Front, 5'-9" Side West	maintain existing setbacks
XI 40D	No improvements except in conformity		Added 2nd floor & New Roof within existing setbacks
XI 40E	No change in the use of any land or improvement, in the location of any improvement, or in the size of shape of any lot or improvement except in conformity with the zoning regs.		Added 2nd floor & New Roof within existing setbacks
	Coverage	existing lot 22%	proposed 20%
	Setbacks	required for lot: 25 side yard - 30' front yard	
	Height	existing 21'-9"	proposed 25'-5"

SECTIONS 40I, 50D, 60B

(Please attach supplemental sheets if space provided is insufficient)

Yes No

1a). Is a variance requested of Section 101E Gateway Buffer Area? If yes, the application shall be reviewed by the Essex Inland Wetlands and Watercourses Commission (per Section 140L) and a letter of referral shall be provided by the EIWWC prior to attending the ZBA meeting.

2. Variance is requested to allow (Please describe proposed use, dimensions, height and location of any new construction PLUS any changes to use, size, shape, bulk, footprint, floor area or height of existing structure)

The variance requested will allow for a new code compliant stair to replace steep winder stair that is not code compliant.

The variance would also allow for the second and first floor roofs to be rebuilt with proper insulation for energy code.

The Second floor addition has been designed to maintain the extent of the existing exterior wall along the north side of the property. The second floor roof will allow for it to be properly insulated with proper thickness for insulation as per energy code requirements.

(Please attach supplemental sheets if space provided is insufficient)

3. Strict application of Essex Zoning Regulations would result in an unusual hardship because of the following characteristics of the property (Support topological hardship claims with photographs, survey, etc.)

a. The second floor ceiling height is 7' and the roof is flat. Therefore there is no way to bring the living space into code compliance with out adding additional height

b. The existing stair is not code compliant. To add a compliant stair in a proximate location to the original stair the second floor and roof will need to be altered within the existing side yard setback

c.

4. The above hardship is unique to this parcel and not shared by other in the area because:

a. The home existed on the site before the regulation of the setback requirements and due to the layout of the home a substantial portion of the interior living area cannot be brought into code compliance without relief of the setbacks.

b.

c.

5. Described proposed reductions in legal pre-existing nonconformities, if any

a. The raised terrace at the front of the home will be reduced to allow for a betterment of the front set back in that area

b.

c.

The requested variance(s) are in harmony with the purpose and intent of Essex Zoning Regulations because:

a. The home is in need of repair and building & energy code upgrades. The existing interior stair is not considered safe for egress from the second floor bedrooms

b. _____

c. _____

Have previous applications been made for this property? Yes No

If yes, previous application #s _____ Date _____
Prior variance request: _____ Variance Board Action _____

The following items must be included as part of this application:

- _____ a. Fee of \$110.00 – Town Fee \$50 plus \$60 State Fee...payable to the Town of Essex
- _____ b. 10 copies of the application, site plan (with setback lines) and sketch of the proposal.
- _____ c. Copy of property deed
- _____ d. Referral from Health Department
- _____ e. Referral from Essex IWWC (if applicable)
- _____ f. Referral from adjacent towns
- _____ g. Referral from Gateway Conservation Commission

Owner/Applicant Commitments

I (we) certify that the statements hereinabove made and the documents submitted herewith are true to the best of my (our) knowledge and belief.

I (we) consent to allow Zoning Board of Appeals members access to the property for informal, independent site visits, for the purpose of evaluating this application prior to the Board rendering its decision.

Signature of applicant Peggy Sullivan Date: 4/19/23

Signature of property owner [Signature] Date: 04/19/23



8 Riverview St
Existing Interior Stair

8 Riverview St Existing Photos

